

Serial No. 10/716,756

REMARKS

This amendment is responsive to the office action dated July 25, 2005.

Claims 1-16 were pending in the application. Claims 1-11 were allowed. Claims 12-16 were rejected.

By way of this amendment, Claims 1-16 remain unchanged.

Accordingly, Claims 1-16 are currently pending.

1. **REJECTION OF CLAIMS 12, 13 and 16 UNDER 35 USC 103**

Claims 12, 13 and 16 were rejected under 35 USC 103(a) as being unpatentable over US Patent No. 6,168,288 (St. Claire) in view of US Patent No. 1,990,504 (Stimson). The rejection stated that St. Claire discloses a circuit board with an upper and lower side, a solid state lighting element having an output end and first and second contact leads, the lighting element mounted to the first side of the circuit board, a first electrical contact on the circuit board in electrical communication with the first contact on the lighting element, a second electrical contact on the mounting board in electrical communication with the second contact on the lighting element. The Examiner further states that while St. Claire does not include a receiver sleeve having a tail section, Stimson discloses a thermally conductive receiver sleeve received around the output end of the lighting element to form an electrical path and a thermal path from the light source and that the present invention is obvious in view of a combination of these references.

The Examiner has stated that Stimson discloses a receiver sleeve (48) with a tail portion (threaded portion) that surrounds the output end of the light source. However, the Applicant asserts that the structural elements of Stimson have been misapplied. The threaded portion identified by the Examiner is not a tail portion of the receiver sleeve that surrounds the output portion of the light source. In fact, the threaded portion is not a part of the receiver sleeve element at all. The threaded portion shown in Fig. 1 is part of the light source itself. Element 44 in Fig. 1 is an incandescent lamp having a miniature threaded base. It is clear therefore that this threaded portion is absolutely not part of the receiver sleeve and certainly does not form a tail portion of the receiver that surrounds

Serial No. 10/716,756

the output end of the light source. Even if the threaded portion were considered to be a tail portion of the receiver sleeve, clearly, this "tail portion" does not surround the output end of the light source. It can be clearly seen in Fig.1 that the output end of the light source fully resides in the reflector and not in a tail portion of the receiver sleeve.

Claim 12 of the present invention clearly includes a positive limitation that requires that the receiver sleeve include a tail portion wherein the tail portion is positioned at one end of the receiver sleeve and wherein the tail portion is received around the output end of said lighting element. This feature simply is not shown, disclosed or suggested anywhere in the cited Stimson reference.

Accordingly, even if the St. Claire and Stimson references were combined the resulting combination would still lack critical claimed limitations provided in the claims of the present invention. Specifically, a device that resulted from a combination of the St. Claire and Stimson references would not include tail portion wherein the tail portion is positioned at one end of the receiver sleeve and wherein the tail portion is received around the output end of said lighting element. It is this particular arrangement in the present invention that serves to effectively capture and transfer the heat generated by the solid-state light source and transfer it away from the circuit board and the electronics mounted thereon. In essence, the receiver sleeve act as a heat sink / heat shield that fully isolates the entire light source from the electronic components and circuit board.

Since the cited combination does not produce the device of the present invention in the claims as amended, the combination cannot render the present invention obvious under §103. Reconsideration and withdrawal of this rejection is respectfully solicited.

II. REJECTION OF CLAIMS 14 and 15 UNDER 35 USC 103

Claims 14 and 15 were rejected under 35 USC 103(a) as being unpatentable over St. Claire and Stimson in view of US Patent No. 6,160,355 (Yee). The Examiner has stated that although the combination of St. Claire and Stimson does not disclose control circuitry on the circuit board, Yee discloses control circuitry mounted on the

Serial No. 10/716,756

upper side of the circuit board adjacent the LED and that the present invention is obvious in light of the combination of these references.

As stated above in the comments related the combination of St. Claire and Stimson above, the present invention includes features that are not provided in the base combination. Claim 12 (the claim from which claims 14 and 15 depend) of the present invention clearly includes a positive limitation that requires that the receiver sleeve include a tail portion wherein the tail portion is positioned at one end of the receiver sleeve and wherein the tail portion is received around the output end of said lighting element. This claimed feature by virtue of their dependency on Claim 12 is carried to claims 14 and 15. This feature simply is not shown, disclosed or suggested anywhere in the cited Stimson reference.

Accordingly, even if the St. Claire and Stimson references were combined the resulting combination would still lack critical claimed limitations provided in the claims of the present invention. Specifically, a device that resulted from a combination of the St. Claire and Stimson references would not include tail portion wherein the tail portion is positioned at one end of the receiver sleeve and wherein the tail portion is received around the output end of said lighting element. It is this particular arrangement in the present invention that serves to effectively capture and transfer the heat generated by the solid-state light source and transfer it away from the circuit board and the electronics mounted thereon. In essence, the receiver sleeve act as a heat sink / heat shield that fully isolates the entire light source from the electronic components and circuit board.

The simple addition of the Yee disclosure regarding the use of control circuitry in connection with an LED lighting element does not serve to overcome the other structural differences. Therefore, even should the St. Claire, Stimson and Yee references be combined as provided by the Examiner, the present invention simply would not be disclosed for at least the reasons set forth above. Since the cited combination does not produce the device of the present invention in the claims as amended, the combination cannot render the present invention obvious under §103. Reconsideration and withdrawal of this rejection is respectfully solicited.

Serial No. 10/716,756

III. ALLOWABLE SUBJECT MATTER

Claims 1-11 were held to be allowable.

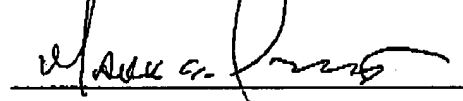
IV. CONCLUSION

Accordingly, claims 1-16 are believed to be in condition for allowance and the application ready for issue.

Corresponding action is respectfully solicited.

PTO is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our account #02-0900.

Respectfully submitted,



Mark E. Tetreault, Esq.
Reg. No. 48,289

BARLOW, JOSEPHS & HOLMES, Ltd.
101 Dyer Street, 5th Floor
Providence, RI 02903
(401) 273-4446 (tel)
(401) 273-4447 (fax)
met@barjos.com